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11
12 IN THE UNITED STATES DISTRICT COURT
13 FOR THE NORTHERN DISTRICT OF CALIFORNIA
14 SAN FRANCISCO DIVISION

15 **RONALD BRATTON,**

16 Plaintiff,

17 v.

18 **BEN CURRY, et al.,**

19 Defendants.

Case No. C 07-2928 JSW

**DECLARATION OF
COUNSEL IN SUPPORT OF
DEFENDANTS' REQUEST
FOR AN EXTENSION OF
TIME TO FILE DISPOSITIVE
MOTION**

20
21 I, LISA SCIANDRA, declare as follows:

22 1. I am an attorney licensed to practice before the courts of the State of California and this
23 Court. I am a Deputy Attorney General in the Correctional Law Section of the California
24 Attorney General's Office, and I am assigned to represent the Defendants in this matter. I have
25 personal knowledge of the matter contained in this declaration, and if called to testify, I would
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28 1. To the best knowledge of the Attorney General's Office, Defendant Jannah has not been
served. Accordingly, the Attorney General's Office makes no appearance on his behalf.

Decl. Counsel in Supp. Defs.' Req. for Ext. Time

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1 and could testify.

2 2. The Court's Order of Service dated January 9, 2008, directed that Defendants shall file
3 a motion for summary judgment or other dispositive motion no later than sixty days from the date
4 of the Order, which was Sunday March 9, 2008. Rule 6 of the Federal Rules of Civil Procedure,
5 however, made Defendants' motion for summary judgment or other dispositive motion due on
6 Monday, March 10, 2008. I received the Summons and Complaint on February 4, 2008. On
7 March 3, 2008, Defendants filed a request for a sixty-day extension of time, in part because I
8 needed additional time to gather sufficient documents and information to prepare an appropriate
9 response to this lawsuit. This Court granted the extension, making the deadline May 9, 2008. I
10 intend to file a motion for summary judgment or other dispositive motion in this case but request
11 an additional forty-five-day extension of time until June 23, 2008, to complete it.

12 3. For the following reasons, the Defendant requests an extension of time:

13 a. I do not yet have sufficient documents or information to prepare an appropriate
14 response to this lawsuit and will need further documents in order to prepare a response. My
15 office requested case documents and information from the California Department of Corrections
16 and Rehabilitation (CDCR) when the summons and complaint were received.

17 b. While some documents have been received, review of the facts and allegations
18 necessitates obtaining additional documents from CDCR and other sources. More time will be
19 needed to review the facts and allegations in the Complaint, and to review the documents that
20 will arrive from CDCR and other sources.

21 c. Additionally, along with researching a dispositive motion for this action, and
22 other case-related work, I have recently been occupied with a demurrer that I filed on April 11,
23 2008, in the Superior Court of California, County of Del Norte. I am also working on three
24 dispositive motions due in the Northern District of California on May 22, June 10, and June 13,
25 2008.

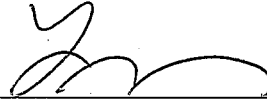
26 4. Plaintiff is currently incarcerated and cannot be easily contacted for an extension of
27 time.

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1 5. This request is not made for the purpose of harassment, undue delay, or any improper
2 reason.

3 I declare under penalty of perjury that the forgoing is true and correct to the best of my
4 knowledge.

5 Executed on May 1, 2008, at San Francisco, California.

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8 LISA SCIANDRA
9 Deputy Attorney General

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